United Nations S/2018/286

Security Council

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The Security Council,

Reaffirming its previous resolutions on Haiti, in particular its resolutions 2350 (2017), 2313 (2016), 2243 (2015), 2180 (2014), 2119 (2013), 2070 (2012), 2012 (2011), 1944 (2010), 1927 (2010), 1908 (2010), 1892 (2009), 1840 (2008), 1780 (2007), 1743 (2007), 1702 (2006), 1658 (2006), 1608 (2005), 1601 (2005), 1576 (2004), 1529 (2004), and 1542 (2004),

Recognizing that, over the past year, Haiti has made considerable strides towards stability and democracy, improvements in strengthening the security and humanitarian situation, and a consolidation of Haiti's democratic institutions through a peaceful transfer of power, including with the support the United Nations Stabilization Mission in Haiti (MINUSTAH),

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity, and unity of Haiti,

Recognizing that the overall security situation has remained stable since the adoption of resolution 2350 (2017), allowing the closure of MINUSTAH and a drawdown of its military capabilities and an orderly transition to the United Nations Mission for Justice Support in Haiti (MINUJUSTH),

Noting MINUJUSTH's role in assisting all branches of the Government of Haiti (Government) to strengthen rule of law institutions, further developing the Haitian National Police (HNP) to enable it to improve Haiti's security environment, and engaging in human rights monitoring, reporting and analysis, and *emphasizing* the importance of the continued support of the United Nations and the international community for the long-term security and development of Haiti, particularly in building the capacity of the Government, consolidating and building on the achievements of past years, while *encouraging* the Haitian authorities to address the longstanding risks of instability,

Recalling its resolutions 1645 (2005) and 2282 (2016), and *reaffirming* the primary responsibility of the Government in implementing its peacebuilding and sustaining peace strategies to address the interconnected nature of challenges in Haiti, *highlighting* the contribution of sustainable development to peacebuilding and sustaining peace, and in this regard, emphasizing the importance of national ownership, inclusivity, and the role that civil society can play to advance national peacebuilding processes and objectives in order to ensure that the needs of all segments of society are taken into account,

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Acknowledging that Haiti continues to face significant humanitarian challenges and *affirming* that progress in the country's reconstruction, and its social and economic development through effective and coordinated international development assistance and increased Haitian institutional capacity to benefit from this assistance, is crucial to achieving lasting and sustainable stability,

Reiterating the need for security to be accompanied by sustainable development, in its social, economic, and environmental dimensions, including efforts in risk reduction and preparedness that address the country's extreme vulnerability to natural disasters, efforts in which the Government plays a leading role with the assistance of the United Nations Country Team (UNCT),

Reiterating its support for MINUJUSTH, in cooperation with the United Nations Office on Drugs and Crime (UNODC) and other international actors as appropriate, to continue to assist the Government in effectively tackling human trafficking, in line with resolution 2388 (2017), as well as combatting other forms of transnational organized crime, namely the trafficking of drugs and arms in Haiti, in accordance with international law,

Recalling General Assembly resolution A/RES/71/161 on the United Nations 'New Approach to Cholera in Haiti,' *noting* the continued progress in reductions of suspected cases of cholera and *reaffirming* the importance of the continued support of the international community to the UN's efforts to combat cholera in Haiti,

Emphasizing the importance of effective support from the Government and its international and regional partners for the 2017–2021 Haitian National Police Strategic Development Plan to better prepare the HNP to respond to public disorder and manage security threats and reducing the need for international support,

Recalling resolutions 2378 (2017) and 2382 (2017), which request the Secretary-General to ensure that data related to the effectiveness of peacekeeping operations, including peacekeeping performance data, is used to improve analytics and the evaluation of mission operations, based on clear and well identified benchmarks,

Recognizing that strengthening national human rights institutions, including respecting the right to a fair trial, promoting access to justice, fighting corruption and impunity, combating criminality, sexual and gender-based violence, and ensuring accountability, as well as respect for human rights, including of women and children, are all essential to promoting the rule of law and security in Haiti,

Further affirming the importance of close coordination between MINUJUSTH and UNCT, and *urging* that, in alignment with the two-year benchmarked exit strategy, MINUJUSTH work closely with the UNCT to identify ways to address gaps in capabilities to prepare for the Mission's drawdown, and *further urging* MINUJUSTH, the UNCT, and all relevant UN agencies, in consultation with the Government, to coordinate closely in the transfer of these responsibilities,

Welcoming the report of the Secretary-General of 20 March 2018 (S/2018/241), including the benchmarked exit strategy,

Mindful of its primary responsibility for the maintenance of international peace and security under the Charter of the United Nations,

Acting under Chapter VII the Charter of the United Nations,

1. *Decides* to extend the mandate of MINUJUSTH until 15 April 2019 to assist the Government to strengthen rule of law institutions in Haiti, further support and develop the HNP, and engage in human rights monitoring, reporting, and analysis, with the intention to review the need for renewal as necessary;

2. *Reaffirms* that, in the framework of improving the rule of law in Haiti, strengthening the justice sector and capacity of the HNP is essential to enabling the Government to take timely and full responsibility for the country's security needs;

3. *Decides* that MINUJUSTH's police component will maintain seven Formed Police Units (FPUs) and 295 Individual Police Officers (IPOs) until 15 October 2018, and the MINUJUSTH police component will be adjusted downward to five FPUs between 15 October 2018 and 15 April 2019 and maintain 295 Individual Police Officers until 15 April 2019, with any reduction taking into account the evolving security situation in Haiti and adjusted accordingly;

4. *Requests* the Secretary-General to report to the Council on the implementation of this resolution, including any instances of mandate implementation failures and measures taken to address these, in reports every 90 days starting from 1 June 2018;

5. *Further requests* the Secretary-General, in his 1 June 2018 report, in partnership with the Government and the UNCT, to further develop specific dates and indicators for achieving the benchmarks, with the goal of transitioning tasks and responsibilities to the Government, in coordination with the UNCT, as set out in the two-year exit strategy included in the Secretary-General's report of 20 March 2018;

6. *Requests* the Secretary-General report to the Council on progress with implementing the benchmarked exit strategy in the 90-day reports starting from 1 June 2018, and that these reports include progress against delivery of the indicators, milestones, targets for reaching the benchmarks, and mission staffing in the strategy;

7. *Encourages* the Government, working with MINUJUSTH under the rule of law task in its mandate and according to the benchmarked two-year exit strategy, to carry out inter alia work towards implementing the benchmarks, including adopting the draft Criminal Code and Code of Criminal Procedure, strengthening Haitian judicial and correctional systems, increasing internal oversight and accountability mechanisms in the justice, corrections, and police sectors, establishing a Permanent Electoral Council, adopting the Legal Assistance Law, addressing the issue of prolonged pretrial detention, and implementing community violence reduction efforts;

8. *Further requests* the Secretary-General submit to the Council, in his 1 September 2018 report, an update on timelines for the transition of tasks and responsibilities for handover to the Government, in coordination with the UNCT, in order to draw down the mission and approximately scale up the relevant activities and programming of the UNCT by 15 October 2019, while at the same time, building on the benchmarks identified in the two-year exit strategy;

9. *Requests* the Secretary-General to conduct a Strategic Assessment Mission to Haiti by 1 February 2019 and, on this basis, to present to the Council recommendations on the future United Nations role in Haiti, including any recommendations for drawdown and exit, in the fourth 90-day report no later than 1 March 2019;

10. *Affirms* its intention, based on the Security Council's review of the security conditions on the ground and Haiti's overall capacity to ensure stability, to consider the withdrawal of MINUJUSTH and transition to a non-peacekeeping United Nations presence in Haiti beginning no sooner than 15 October 2019;

11. *Underscores* the urgency for the Government to take all appropriate steps to ensure, with the support of the international community as necessary, respect for and protection of human rights by the HNP and the judiciary as an essential element

of Haiti's stability, and *calls on* MINUJUSTH to provide monitoring and support in line with its mandate in this regard;

12. *Requests* the Special Representative of the Secretary-General to continue to play a good offices and advocacy role at the political level to ensure full implementation of the mandate, including through close coordination with the Government for the development of a political strategy aimed at addressing political challenges to progress towards the rule of law and creating momentum for systematic progress;

13. *Requests* the Special Representative of the Secretary-General and MINUJUSTH to coordinate closely with the Government, and *calls upon* the Government to facilitate MINUJUSTH's mandate and functioning;

14. *Authorizes* MINUJUSTH to use all necessary means to carry out its mandate to support and develop the HNP;

15. *Further authorizes* MINUJUSTH to protect civilians under imminent threat of physical violence, within its capabilities and areas of deployment, as needed;

16. *Requests* the Secretary-General to ensure MINUJUSTH maintains capacity, including appropriate air assets and medical enablers, to deploy security forces rapidly throughout the country and in support of the HNP;

17. *Reaffirms* the importance for MINUJUSTH taking fully into account gender mainstreaming as a crosscutting issue throughout its mandate and to assist the Government in ensuring the full and effective participation, involvement, and representation of women at all levels;

18. *Welcomes* the initiatives undertaken by the Secretary General to standardize a culture of performance in UN peacekeeping that implements the Operational Readiness Assurance and Performance Improvement Policy, conducts mission performance reviews that include police contingents, and leverages the Peacekeeping Capabilities and Readiness System (PCRS) to ensure performance data informs decisions regarding deployment, remediation, and repatriation of United Nations personnel, and *calls on* him to continue his efforts in this regard;

19. *Recalls* its resolution 2272 (2016), and all other relevant United Nations resolutions, requests the Secretary-General to take the necessary steps to ensure full compliance of all MINUJUSTH personnel with the United Nations zero-tolerance policy on sexual exploitation and abuse, and to continue to keep the Council informed, and *urges* police-contributing countries to redouble their efforts to prevent cases of misconduct and to ensure that acts involving their personnel are properly investigated in a credible and transparent manner and that those responsible are held accountable;

20. *Expresses its intent* to continue to review conditions in Haiti, and to consider adapting MINUJUSTH's mandate and police force levels, as needed, to preserve the progress Haiti has made towards durable security and stability;

21. *Decides* to remain actively seized of the matter.